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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 10557/263318

First Inventor Nicol, A. C.

Title Modular Prosthesis System with Novel Locking Mechanism

Express Mail Label No. EL209599905US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 34]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 08]
5. Oath or Declaration [Total Pages 04]
 - a. ☒ Unexecuted (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

ACCOMPANYING APPLICATIONS PARTS


7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies
9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____ / _____
Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label  30559 or ☐ Correspondence address below
(Insert Customer No. or Attach bar code label here)

Name

PATENT TRADEMARK OFFICE

Address

City

State

Zip Code

Country

Telephone

Fax

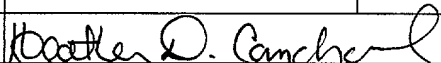
Name (Print/Type)

Heather D. Carmichael

Registration No. (Attorney/Agent)

42,389

Signature



Date

December 17, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Nicol, et al.) Group Art Unit:
)
 Serial No.:) Examiner:
)
 Filed: December 17, 2001)
)
 For: MODULAR PROSTHESIS SYSTEM)
 WITH NOVEL LOCKING)
 MECHANISM)

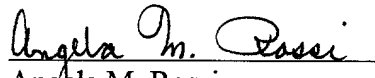
Box Patent Application
U.S. Patent and Trademark Office
P. O. Box 2327
Arlington, Virginia 22202

Attorney Docket No. 10557/263318

CERTIFICATE OF MAILING (37 C.F.R. 1.10)

Sir:

I hereby certify that this Utility Patent Application Transmittal, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, Mailing Label No. EL209599905US addressed to Box Patent Application, U.S. Patent and Trademark Office, P. O. Box 2327, Arlington, Virginia 22202.


Angela M. Rossi

Date: December 17, 2001

KILPATRICK STOCKTON LLP
Suite 2800, 1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6446

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

Complete if Known

Application Number	Express Mail Label No. EL209599905US
Filing Date	December 17, 2001
First Named Inventor	Nicol, A. C.
Examiner Name	
Group / Art Unit	
Attorney Docket No.	10557/263318

TOTAL AMOUNT OF PAYMENT (\$) 1,058

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number: 11-0855
- Deposit Account Name: Kilpatnck Stockton LLP
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	740.00
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 740

2. EXTRA CLAIM FEES

Total Claims	33	-20 **	=	13	X	18	=	234
Independent Claims	04	-3 **	=	01	X	84	=	84
Multiple Dependent					X		=	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
103	203	18	9	Claims in excess of 20
102	202	84	42	Independent claims in excess of 3
104	204	280	140	Multiple dependent claim, if not paid
109	209	84	42	** Reissue independent claims over original patent
110	210	18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 318

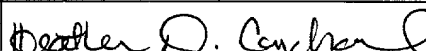

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	Surcharge - late filing fee or oath	
127	227	50	25	Surcharge - late provisional filing fee or cover sheet.	
139	139	130	130	Non-English specification	
147	147	2,520	2,520	For filing a request for reexamination	
112	112	920*	920*	Requesting publication of SIR prior to Examiner action	
113	113	1,840*	1,840*	Requesting publication of SIR after Examiner action	
115	115	215	55	Extension for reply within first month	
116	116	216	200	Extension for reply within second month	
117	117	217	460	Extension for reply within third month	
118	118	218	720	Extension for reply within fourth month	
128	128	228	980	Extension for reply within fifth month	
119	119	320	160	Notice of Appeal	
120	120	320	160	Filing a brief in support of an appeal	
121	121	280	140	Request for oral hearing	
138	138	1,510	1,510	Petition to institute a public use proceeding	
140	140	240	55	Petition to revive - unavoidable	
141	141	241	640	Petition to revive - unintentional	
142	142	242	640	Utility issue fee (or reissue)	
143	143	243	230	Design issue fee	
144	144	244	310	Plant issue fee	
122	122	130	130	Petitions to the Commissioner	
123	123	50	50	Processing fee under 37 CFR 1.17 (q)	
126	126	180	180	Submission of Information Disclosure Stmt	
581	581	40	40	Recording each patent assignment per property (times number of properties)	
146	146	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	149	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	179	279	370	Request for Continued Examination (RCE)	
169	169	900	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 0

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Heather D. Carmichael	Registration No. Attorney/Agent	42,389	Telephone	404.815.6137
Signature				Date	December 17, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Nicol
	Title	Modular Prosthesis System with Novel Locking Mechanism
	Atty Docket Number	10557/263318

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 17, 2001

Date



Signature

Heather D. Carmichael, Reg. No. 42,389

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**